

STATE OF CALIFORNIA

GRAY DAVIS, Governor

SAN FRANCISCO BAY CONSERVATION AND DEVELOPMENT COMMISSION

FIFTY CALIFORNIA STREET, SUITE 2600
SAN FRANCISCO, CALIFORNIA 94111
PHONE: (415) 332-3600
<http://ceres.ca.gov/bcdc/>



May 25, 2000

Goodyear K. Walker
California State Lands Commission
100 Howe Avenue, Suite 100-South
Sacramento, California 95825

SUBJECT: Shore Terminals, LLC, Marine Terminal Lease Renewal (PRC 4769.1)
BCDC Inquiry File No. CC.MZ.7134.2

Ladies and Gentlemen:

Thank you for the opportunity to comment of the Environmental Impact Assessment for the Shore Terminals, LLC, Marine Terminal lease renewal. Please note that the following are staff comments only, based on the McAteer-Petris Act and the *San Francisco Bay Plan*, as the full San Francisco Bay Conservation and Development Commission (BCDC) has not reviewed the material.

Jurisdiction:

The marine terminal is located within the BCDC jurisdiction, which covers the tidal areas of San Francisco Bay and the adjacent 100-foot shoreline band. While the lease renewal does not require a permit because it is not considered new work or a substantial change of use, any new work in or over the water or in the 100-foot shoreline band, such as the new pipeline discussed in the report, would require a permit from our agency.

Use:

The marine terminal is located within an area designated in the Bay Plan as a water-related industrial priority use area. BCDC also has laws and policies that require any new fills placed in the Bay to be water-oriented. The continued use of the marine facility would remain consistent with BCDC laws and policies because of its water-oriented nature.

Seismic Safety of Fills:

The McAteer-Petris Act and the Bay Plan include language to ensure that any new project built on Bay fill, like a marine terminal, be engineered with sound safety standards which will afford reasonable protection against seismic hazards. In the renewal of the lease, State Lands should consider whether there is a way to ensure the marine terminal remains structurally sound during the life of the lease.

Dredging:

Dredging is often necessary at marine terminals in San Francisco Bay. The environmental analysis should be expanded to indicate how much new dredging may be needed or how much maintenance dredging normally occurs at this terminal. In addition, the lessee will need to coordinate with the Long Term Management Strategy's Dredged Materials Management Office for any proposed dredging to ensure that the dredged material is disposed of properly.

Dedicated to making San Francisco Bay better.